



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,978	01/05/2001	Martin Roos	4484 US	4757

7590

03/28/2003

Martin A. Farber
Suite 473
866 United Nations Plaza
New York, NY 10017

EXAMINER

HO, THOMAS Y

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 03/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,978

Applicant(s)

ROOS, MARTIN

Examiner

Thomas Y Ho

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyko USPN4775178 in view of Jyawook USPN6276743.

As to claims 1-3 and 5-8, Boyko discloses:

- A door lock 40.
- An inside door operating means having an inside door handle 32.
- An outside door operating means having an outside door handle (not pictured).
- A plurality of connecting elements 34/38 including a first connecting element 34 coupled to the inside door operating means.
- The door lock is able to be operated mechanically by the door handles via said plurality of connecting elements.
- The connecting elements are provided with drive elements located between the two door handles and the door lock at a distance from the door lock.
- Said driver elements acting via a driven element 36.

Boyko fails to disclose or suggest:

- A latching device, which can be arrested in a positive-locking manner and serves for holding the sliding door in its open position.

Art Unit: 3677

- A second connecting element coupled to the outside door operating means.
- A third connecting element secured to the latching device.
- The latching device is able to be operated mechanically by the door handles via said plurality of connecting elements.
- Logical functions for locking/unlocking the sliding door are realized in the door lock.
- Said driver elements acting via a driven element on the third connecting element which is connected to the latching device.

Jyawook discloses a latching device 128 that is mechanically operable by the door handles via connecting elements 150/154/736 that are Bowden cables that are continuous in a region of driver elements 724/734 but having sheaths omitted in said region, where latching device can be arrested in a positive-locking manner, the latching device secured via a third connecting element 736 to the second end of a driven element 640 that is driven by driver elements 724/734 (secured at the first end of the driven element), with the driver elements uncoupled from the third connecting element such that driving only takes place in a direction of movement of the driver elements relative to the third connecting element, and uncoupled driving taking place by simple bearing of said driver elements against a driving surface on reversing lever 640, to keep a sliding door 36 positioned in fully open position to inhibit sliding door 36 from closing (col.6, ln.16-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the driven element disclosed by Boyko to have a third connecting element and a latching device, as taught by Jyawook, to keep a sliding door in fully open position.

Art Unit: 3677

Jyawook also disclose a second connecting element 720 that is a Bowden cable having a sheath omitted in a region of a the driver elements 724/734, with the sheaths of both the first and second connecting elements 150/154 end molded onto walls of a housing body on which the reversing lever 640 is pivotably mounted, with the second connecting element coupled to the outside operating means, to form an assembly having separate connecting elements 150/154 and driver elements 724/734 between the inner and outer handles that interact with a driven element 640, with the driver elements lying directly next to one another and said connecting elements from the door handles run parallel to one another at least in this region, to provide a child guard mechanism (col.17, ln.18-46) on the driven element. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the first and second door handles disclosed by Boyko to have separate first and second connecting means, as taught by Jyawook, to provide a child safety mechanism on the driven element.

Jyawook also discloses logical function 54 for locking/unlocking a sliding door realized in the door lock (fig.10) to provide a means of receiving signals from various sensors in the vehicle for determining the operational state of a vehicle, determining the appropriate actions, and initiating commands automatically (col.14, ln.35-43; col.20, ln.15-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the logical locking/unlocking functions 42 disclosed by Boyko, with logical functions as taught by Jyawook, to provide automatic locking/unlocking commands depending on the vehicle state.

As to claim 4, Boyko discloses:

- The driver elements 34/38 act on a reversing lever 36.

Art Unit: 3677

As to claim 9, Boyko discloses:

- A door lock 40.
- An inside door operating means having an inside door handle 32.
- An outside door operating means having an outside door handle (not pictured).
- A plurality of connecting elements 34/38 including a first connecting element 34 coupled to the inside operating means.
- The door lock is able to be operated mechanically by the door handles via said plurality of connecting elements.
- The connecting elements are provided with drive elements located between the two door handles at a distance from the door lock.

As to claim 11, Boyko discloses:

- A door lock 40 for securing the door in its closed position.
- An inside operating means having an inside door handle 32.
- An outside operating means having an outside door handle (not pictured).
- Connecting elements 34/38.
- A driven element 36 having opposed first and second ends.
- The door lock is operated mechanically by the inside and outside door handles.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyko USPN4775178 in view of Jyawook USPN6276743, and further in view of Weyerstall USPN6050117.

As to claim 10, Boyko fails to disclose or suggest:

- Said housing body is of substantially mirror-symmetrical formation.

Art Unit: 3677

Weyerstall discloses a housing 11 that is of substantially mirror-symmetrical formation so the part can be used for left or right entry (col.2, ln.41-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the housing disclosed by Boyko to have mirror-symmetrical formation, as taught by Weyerstall, so the part can be non-handed.

Response to Arguments

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN4615558 to Nakamura discloses a door lock mechanism with a driven element.

USPN4617757 to Kagiya discloses a sliding door opening-closing mechanism.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,


Art Unit: 3677

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y. Ho whose email address is thomas.ho@uspto.gov and telephone number is (703) 305-4556. The examiner can normally be reached on M-F 9:30AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9327.

TYH
March 21, 2003


J. J. SWANN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600